

## Message Text

SECRET

PAGE 01 SANTIA 04562 01 OF 02 160216Z  
ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W  
-----090270 160225Z /62  
O 152306Z JUN 78  
FM AMEMBASSY SANTIAGO  
TO SECSTATE WASHDC IMMEDIATE 9555

S E C R E T SECTION 1 OF 2 SANTIAGO 4562

STADIS////////////////////////////////

EXDIS

FOR ARA, D AND L ONLY

E.9. 11652: GDS  
TAGS: SHUM PGOV CI  
SUBJECT: LETELIER/MOFFITT ASSASSINATION INVESTIGATION

REF: SANTIAGO 4515, 4442

SUMMARY: MINISTER OF INTERIOR FERNANDEZ PROMISED TO HAVE  
DEFINITE REPLY FOR ME ON MONDAY, JUNE 19, TO OUR REQUESTS  
THAT THE GOC CALL THE PARAGUAYANS AND TO HAVE COL. ITURRIAGA  
APPEAR BEFORE THE GRAND JURY. THE GOC SEEMS INCLINED NOT  
TO COOPERATE WITH EITHER REQUEST BECAUSE IT FEARS FURTHER  
SELF-INCRIMINATION. END SUMMARY.

1. I CALLED ON MINISTER OF INTERIOR FERNANDEZ AT MY REQUEST  
AT 12:00 NOON JUNE 15. WE MET ALONE FOR NINETY MINUTES.  
I SAID THAT THERE WAS GREAT URGENCY TO ACT ON OUR TWO REQUESTS  
IN THE LETELIER MURDER CASE. I RECALLED THE DISCUSSION  
BETWEEN PRESIDENT CARTER AND AMBASSADOR BARROS IN WHICH THE  
FORMER EXPRESSED APPRECIATION FOR CHILEAN COOPERATION  
AND THE LATTER'S ASSURANCES THAT THIS WOULD BE A CONTINU-  
ING PROCESS. I ALSO REFERRED TO VARIOUS STATEMENTS MADE  
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TO THE SAME EFFECT BY PRESIDENT PINOCHET AND BY FOREIGN  
MINISTER CUBILLOS--AND SPECIFICALLY TO THE LATTER'S PRESS  
CONFERENCE GIVEN ON HIS ARRIVAL IN LIMA JUNE 14, DURING WHICH  
HE SAID THAT HIS COUNTRY'S GOVERNMENT WILL CONTINUE TO  
GIVE "MAXIMUM COOPERATION" TO CLARIFY EVERYTHING RELATED  
TO THE CASE OF FORMER MINISTER ORLANDO LETELIER.

2. I SAID THAT, AGAINST THIS BACKGROUND OF CONSTANT ASSURANCES OF COMPLETE COOPERATION, I HOPED THAT FERNANDEZ WOULD RECONSIDER TWO RECENT GOC DECISIONS AND WOULD INSTRUCT IMMEDIATELY GENERAL MENA TO CALL HIS OPPOSITE NUMBER IN PARAGUAY (COLONEL GUANES). FERNANDEZ INTERJECTED THAT, AS A LAWYER, HE COULD NOT UNDERSTAND WHY THIS WAS SO IMPORTANT TO US. I TOLD HIM THAT COLONEL GUANES HAD ADMITTED FREELY THAT HE HAD RECEIVED A DIRECT REQUEST FROM CHILE THAT THE PARAGUAYAN PASSPORTS BE ISSUED. WE NEEDED HIS STATEMENT IN THE U.S. COURTS. IN ORDER FOR THAT TO BE ADMISSIBLE, HE MUST TESTIFY TO IT PERSONALLY. WE HAD ALREADY ASKED THE PARAGUAYANS FOR THIS TESTIMONY BUT THEY WANT THE CHILEAN GOVERNMENT'S AUTHORIZATION. FERNANDEZ SAID HE FOUND IT DIFFICULT TO TELL GENERAL MENA TO MAKE A STATEMENT WHEN NEITHER HE NOR MENA WERE AWARE OF THE ORIGINAL REQUEST AND THEY REALLY DID NOT KNOW WHAT HAD HAPPENED. I REPLIED THAT WE WERE NOT REQUESTING ANY SPECIFICS. IT WAS NOT DENIED BY THE PARAGUAYANS AND IT IS COMMON KNOWLEDGE THAT A CALL WAS MADE FROM CHILE AND THAT PARAGUAYAN PASSPORTS WERE ISSUED TO TOWNLEY AND FERNANDEZ. THESE WERE IN OUR HANDS. WE ONLY REQUESTED THAT MENA MAKE THE CALL AND GIVE THE PARAGUAYANS THE GOC'S OFTEN EXPRESSED OFFICIAL POSITION THAT IT WANTED THE CASE TO BE COMPLETELY CLARIFIED AND THE TRUTH TO BE DETERMINED. WE DID NOT SUGGEST THAT MENA VIOLATE PARAGUAYAN SOVEREIGNTY BY TELLING THE GOC WHAT TO DO OR NOT TO DO. ALL WE WANTED WAS FOR  
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THE PARAGUAYANS TO UNDERSTAND THAT THE GOC WOULD NOT OPPOSE GOP COOPERATION WITH THE U.S. FERNANDEZ SAID THAT HE WOULD TAKE THIS UP WITH MENA AND WITH OTHERS BUT THAT, AS A LAWYER, HE COULD NOT REALLY RECOMMEND THAT THIS BE DONE WITHOUT KNOWING THE REASON WHY. I SAID I THOUGHT I HAD EXPLAINED VERY CLEARLY AND THAT IT WAS INCONCEIVABLE TO ME THAT THERE WAS ANY PROBLEM WITH THIS STATEMENT, WHICH HAD BEEN MADE VOLUNTARILY BY SO MANY CHILEAN OFFICIALS, INCLUDING CUBILLOS ONLY YESTERDAY AT THE LIMA AIRPORT.

3. IN VIEW OF FERNANDEZ' OBVIOUS RELUCTANCE TO GRANT MY REQUEST, I TOLD HIM THAT THE PARAGUAYAN PASSPORT AFFAIR COULD NOT BE CONCEALED AND IT WOULD LOOK A GREAT DEAL BETTER IF THE GOC WOULD COOPERATE RIGHT FROM THE START. I SAID THAT OTHERWISE IT WAS MORE LIKELY I MIGHT BE REQUIRED TO TESTIFY AND TELL THE COMPLETE STORY AS RELATED TO ME BY THE PARAGUAYANS WHEN I WAS AMBASSADOR THERE: A MEMBER OF THE PRESIDENTIAL STAFF INFORMED ME THEN THAT THE REQUEST HAD COME DIRECTLY TO PRESIDENT STROESSNER FROM GENERAL PINOCHET. HOWEVER, LATER ON WHEN OUR EMBASSY INVESTIGATED THE MATTER, COL. GUANES STATED THAT HE HAD RECEIVED THE CALL FROM ANOTHER GOC

OFFICIAL. I DID NOT MENTION HIS NAME NOR DID FERNANDEZ  
INQUIRE.

4. REGARDING THE TESTIMONY OF LT. COL. RAUL ITURRIAGA,  
I SAID THAT IT WAS URGENTLY NEEDED BEFORE THE GRAND JURY.  
FERNANDEZ ASKED ME WHY LETTERS ROGATORY WOULD NOT DO.  
I SAID THAT ASIDE FROM THE TIME LIMITATIONS, WHICH WERE  
CRITICAL, WE ALSO DID NOT WANT TO PUT THE GOC AGAIN  
THROUGH THE PUBLICITY ORDEAL OF ANOTHER SET OF LETTERS  
ROGATORY. I REMINDED HIM OF THE SENSATIONALIST OUTBURST  
OF THE CHILEAN PRESS DURING THE LAST LETTERS ROGATORY  
WHEN PRACTICALLY NO ITEM GOT INTO THE NEWSPAPERS THAT  
WAS NOT CONNECTED WITH THESE DOCUMENTS. I SAID IT WOULD  
NOT ONLY DAMAGE OUR BILATERAL RELATIONS, BUT WOULD ALSO  
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RUIN THE REPUTATION OF COL. ITURRIAGA. WE WOULD GRANT  
HIM FULL IMMUNITY AND WE NEED HIS TESTIMONY NOW BECAUSE  
HE COULD CORROBORATE TOWNLEY'S ASSERTION THAT HE HAD BEEN

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ACTION SS-25

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O 152306Z JUN 78  
FM AMEMBASSY SANTIAGO  
TO SECSTATE WASHDC IMMEDIATE 9556

S E C R E T SECTION 2 OF 2 SANTIAGO 4562

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FOR ARA, D AND L ONLY

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5. FERNANDEZ SAID THAT FIRST HE WOULD HAVE TO ASK

ITURRIAGA WHETHER HE WAS WILLING TO GO. IF SO, ITURRIAGA WOULD HAVE TO OBTAIN PERMISSION FROM THE ARMY, WHICH WAS DIFFICULT TO GET. THIRD, THE ARMY WOULD REQUIRE A STATEMENT FROM ITURRIAGA OUTLINING WHY HE WAS GOING AND WHAT HE WOULD SAY. FERNANDEZ CONCLUDED THAT ITURRIAGA'S TRIP WOULD BECOME KNOWN, THAT THERE WOULD BE ADVERSE NEWSPAPER PUBLICITY, AND SO IT WOULD BE JUST AS WELL TO GO THROUGH THE LETTERS ROGATORY ROUTINE.

6. I SAID THAT IT HAD BEEN VERY UNFORTUNATE THAT PROPPER HAD NOT BEEN SHOWN MORE COOPERATION IN HIS LAST VISIT. HE AND THE FBI HAD BEEN DENIED A CHANCE TO INTERROGATE ITURRIAGA THEN. IN VIEW OF ALL THE HYSTERICAL PUBLICITY THEY DID NOT WANT TO RETURN TO SANTIAGO AND THUS I SAW NO OTHER WAY TO GET CHILE'S PROFESSED COOPERATION TESTED THAN BY PERMITTING ITURRIAGA TO APPEAR BEFORE THE GRAND JURY. I SAID THAT IF THERE IS AGREEMENT IN PRINCIPLE THAT ITTURRIAGA WOULD BE PERMITTED TO GO, I WOULD CONTACT THE  
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DEPARTMENT OF JUSTICE TO ASSURE THAT THIS TRIP AND TESTIMONY BE KEPT CONFIDENTIAL. I REFERRED TO MANY GRAND JURY WITNESSES DURING MAFIA TRIALS WHOSE IDENTITY WAS ALWAYS FULLY PROTECTED. FERNANDEZ SAID HE WAS VERY SPEPTICAL THAT ANYTHING IN THE U.S. COULD BE KEPT A SECRET AND THAT, MOREOVER, IF NOT IN THE U.S., THE STORY WOULD LEAK IN CHILE WITH DETRIMENTAL RESULTS FOR COL. ITURRIAGA.

7. I CONCLUDED OUR DISCUSSION ON TISSUES BY SAYING THAT THE CHILEAN GOVERNMENT, EVER SINCE THE DAY OF THE MURDERS, HAD VOLUNTEERED FULL COOPERATION. WE WERE NOW TESTING THESE ASSURANCES. OUR REQUESTS WERE REASONABLE AND COULD BE MET BY EXECUTIVE ACTION. NONCOMPLIANCE WOULD HAVE ADVERSE CONSEQUENCES ON WHICH I WOULD NOT WANT TO SPECULATE. I DID SAY, HOWEVER, THAT I WAS PARTICULARLY FEARFUL THAT THE DEPARTMENT OF JUSTICE WOULD NOT CONCEAL ITS DISAPPOINTMENT OVER THIS LACK OF COOPERATION. GIVEN MY INTEREST IN MAINTAINING GOOD BILATERAL RELATIONS, I HOPED IT WOULD NOT BE NECESSARY FOR THIS TO HAPPEN, ESPECIALLY IN VIEW OF FOREIGN MINISTER CUBILLOS' VISIT TO WASHINGTON NEXT WEEK. I HOPED THE VISIT WOULD BE SUCCESSFUL AND NOT CLOUDED BY RECRIMINATION OVER CHILE'S LACK OF COOPERATION ON THE LETELIER CASE.

8 FERNANDEZ THEN STARTED A LONG HARANGUE OVER THE LACK OF COOPERATION ON OUR PART. HE SAID PROPPER AND THE FBI HAD PROMISED GENERAL OROZCO DOCUMENTS WHICH WOULD PERMIT THE GOC TO CONTINUE THE INVESTIGATION AND EVENTUALLY TO TRY THE GUILTY PERSONS. HE SAID NOTHING OF ANY VALUE HAD BEEN FORTHCOMING AND THE GOC HAS A HARD TIME TO CONTINUE

THIS CASE ACTIVELY. HE SAID IT WAS THE GOC'S WISH THAT THE GUILTY BE PUNISHED IN CHILE OR IN THE U.S., BUT UNLESS THERE WAS SUFFICIENT PROOF OF GUILT THE INDICTED PERSONS  
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COULD NEITHER BE TRIED IN CHILE NOR EXTRADITED TO THE UNITED STATES. HE SAID GENERAL OROZCO HAD TOLD HIM THAT HE FELT CHEATED BY THE UNFULFILLED PROMISES FOR DOCUMENTATION. NOR HAD OROZCO BEEN GIVEN ANY VALID EXPLANATION WHY MORE EVIDENCE FROM THE U.S. INVESTIGATIONS COULD NOT BE MADE AVAILABLE. FERNANDEZ SAID THAT THE DOCUMENTS WHICH I HAD DELIVERED A FEW DAYS AGO TO FOREIGN MINISTER CUBILLOS, WHICH ARE NOW IN OROZCO'S HANDS, ARE OF LITTLE VALUE. I SAID THAT OBVIOUSLY I WAS NOT IN A POSITION TO JUDGE OROZCO'S COMPLAINTS AND IT WAS INDEED UNFOTE THAT DIRECT CONTACT BETWEEN OROZCO, PROPPER AND THE FBI HAD TO BE DISCONTINUED DUE TO HOSTILE PRESS OUTBURSTS HERE. I SAID I SAW NO WAY FOR PROPPER TO RETURN HERE. IF OROZCO REALLY HAD A LONG LIST OF UNANSWERED QUESTIONS, I SUGGESTED HE GO TO WASHINGTON WHERE HE WOULD NOT BE HARRASSED BY THE U.S. PRESS AND, AS IN THE PAST, COULD COUNT ON THE COOPERATION OF HIS OPPOSITE NUMBERS. I ADDED THAT THIS PROFFERED COOPERATION WAS OF COURSE BASED ON MY HOPE THAT THE GOC WOULD COOPERATE WITH MY TWO REQUESTS.

9. FERNANDEZ TOLD ME (WHICH I ALREADY KNEW) THAT HE WOULD LEAVE THE MORNING OF JUNE 16 WITH PRESIDENT PINOCHET ON A TRIP TO THE SOUTH AND THAT BOTH HE AND THE PRESIDENT WOULD RETURN TO SANTIAGO TUESDAY, JUNE 20. I SAID I COULD NOT WAIT THAT LONG FOR A REPLY AND ASKED WHETHER HE COULD GIVE ME AN ANSER LATER THIS AFTERNOON. FERNANDEZ SAID HE NEEDED TO MEET WITH GENERALS OROZCO AND MENA, AND WOULD TALK BY TELEPHONE WITH FOREIGN MINISTER CUBILLOS SATURDAY AFTERNOON OR SUNDAY AND THAT CUBILLOS WOULD GIVE ME A DEFINITE REPLY MONDAY. HE THOUGH THIS WAS BETTER BECAUSE, IF FORCED TO GIVE ME A REPLY NOW, HE WOULD HAVE TO BE NEGATIVE ON THE CALL TO PARAGUAY AND ON ITURRIAGA HE WOULD GO THE LTTERS ROGATORY ROUTE. I REPLIED THAT THIS RESPONSE WOULD NOT BE ACCEPTABLE TO THE USG. AS AN ALTERNATE SOLUTION TO THE ITURRIAGA TESTIMONY, I MENTIONED THE POSSIBILITY THAT MR. SCHERRER COULD RETURN TO SANTIAGO, IF  
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THE GOC WERE WILLING TO ARRANGE FOR SECRECY, TO TAKE A DEPOSITION. I CONCLUDED THAT I HOPED THAT AS A LAWYER AND AS A FRIEND HE WOULD RECONSIDER AND GIVE ME A MORE

POSITIVE ANSWER. I KNEW THAT WE BOTH AGREED THAT BOTH  
COUNTRIES WANTED THE CASE CLARIFIED AND, BASED ON THIS  
COMMON DESIRE, I HOPED THE GOC WOULD GIVE US FULL  
COOPERATION.  
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## Message Attributes

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